

I. DISPUTED CONSTRUCTIONS:

Term No.	Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction	Court's Final Construction
1	"The thermostat system" '890 patent, preamble of claim 1	Preamble is limiting but does not require construction; plain and ordinary meaning.	Preamble is limiting and should be construed as "A thermostat."	Preamble is limiting; plain and ordinary meaning.
2	"the thermostat" '890 patent, claim 1	Does not require construction; plain and ordinary meaning; not indefinite.	"The thermostat" of the preamble or, in the alternative, the term is indefinite.	Plain and ordinary meaning; not indefinite.
3	"the automatic adjustment of the temperature setpoint" '890 patent, claims 12, 13, 16	Not indefinite; no construction necessary; plain and ordinary meaning.	No antecedent basis; indefinite.	Not indefinite; plain and ordinary meaning, wherein the plain and ordinary meaning of "temperature setpoint" includes "temperature value."